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16

17 UNITED STATES DISTRICT COURT
18 DISTRICT OF NEVADA

19 Cung Le, Nathan Quarry, Jon Fitch, Brandon
20 Vera, Luis Javier Vazquez, and Kyle
Kingsbury on behalf of themselves and all
21 others similarly situated,

22 Plaintiffs,

23 v.

24 Zuffa, LLC, d/b/a Ultimate Fighting
Championship and UFC,

25 Defendant.
26

Case No.: 2:15-cv-01045-RFB-(PAL)

**APPENDIX OF EXHIBITS IN
SUPPORT OF DEFENDANT
ZUFFA, LLC'S MOTION FOR
SUMMARY JUDGMENT**

APPENDIX OF EXHIBITS

Pursuant to Local Rule IA 10-3(d), Defendant Zuffa, LLC (“Zuffa”) submits this Appendix of Exhibits in Support of Defendant Zuffa, LLC’s Motion for Summary Judgment. The Exhibits noted below are attached as exhibits to the Declaration of Suzanne Jaffe Nero in Support of Defendant Zuffa, LLC’s Motion for Summary Judgment.

Exhibit	Description
1.	Excerpts of Deposition of Lorenzo Fertitta (“Fertitta Dep.”) (Mar. 23, 2017)
2.	Presentation titled “UFC Company Overview,” ZFL-2603089
3.	Presentation titled “Marketing in Mixed Martial Arts” (Mar. 2013), ZFL-12449194
4.	Expert Report of Professor Robert H. Topel (“Topel I”) (Oct. 27, 2017)
5.	Presentation titled “Growing the Business” (Sept. 2014), ZFL-1807982
6.	“About Ultimate Fighting Championship” (Jan. 2012), ZFL-1454433
7.	Excerpts of Deposition of Dana White (“White Dep.”) (Aug. 9-10, 2017)
8.	Excerpts of Deposition of Ike Lawrence Epstein (“Epstein Dep.”) (May 26 & July 21, 2017)
9.	Excerpts of 30(b)(6) Deposition of Ike Lawrence Epstein on Acquisitions (“Acquisitions Dep.”) (Dec. 2, 2016)
10.	Declaration of David Lawenda (“Lawenda Decl.”) (Dec. 8, 2011), ZFL-1470668
11.	Summary Chart of Zuffa Events
12.	Excerpts from the Second Deposition of Dr. Hal J. Singer (“Singer Dep. II”) (Jan. 23, 2018)
13.	Declaration of Brandon Vera (“Vera Decl.”) (July 25, 2011), ZFL-1470592
14.	Excerpts from Deposition of Michael Mersch (“Mersch Dep.”) (July 14, 2017)
15.	Excerpts of Deposition of Denitza Batchvarova (“Batchvarova Dep.”) (Jan. 25, 2017)
16.	Excerpts of Deposition of Dr. Hal J. Singer (“Singer Dep. I”) (Sept. 27, 2017)
17.	Excerpts of Deposition of Jon Fitch (“Fitch Dep.”) (Feb. 15, 2017)
18.	Excerpts of Deposition of Cung Le (“Le Dep.”) (Apr. 11, 2017)
19.	Declaration of Matt Serra (“Serra Decl.”) (July 27, 2011), ZFL-1470642
20.	Declaration of Thiago Alves Araujo (“Alves Decl.”) (July 28, 2011), ZFL-1470652

Exhibit	Description
21.	Declaration of Jason Reinhardt (“Reinhardt Decl.”) (Sept. 15, 2011), ZFL-1470625
22.	Excerpts of Deposition of Brandon Vera (“Vera Dep.”) (Feb. 16, 2017)
23.	Declaration of Yves Edwards (“Edwards Decl.”) (Sept. 21, 2011), ZFL-1470663
24.	Declaration of Vitor Belfort (“Belfort Decl.”) (July 18, 2011), ZFL-1470661
25.	Declaration of Joe Lauzon (“Lauzon Decl.”) (Oct. 7, 2011), ZFL-1470622
26.	Declaration of Charlie Brenneman (Nov. 29, 2011), ZFL-1470594
27.	Declaration of Kenny Florian (Sept. 15, 2011), ZFL-1470629
28.	Declaration of Frank Edgar (Sept. 20, 2011), ZFL-1470607
29.	Declaration of Nam Phan (Sept. 21, 2011), ZFL-1470646
30.	Declaration of Glenn Robinson (July 22, 2011), ZFL-1470612
31.	Declaration of Tyson Griffin (Sept. 21, 2011), ZFL-1470654
32.	Declaration of Dan Lambert (July 11, 2011), ZFL-1470603
33.	Declaration of Jon Jones (Oct. 2, 2011), ZFL-1470620
34.	Declaration of Forrest Griffin (July 16, 2011), ZFL-1470608
35.	Declaration of Phil Davis (Oct. 7, 2011), ZFL-1470648
36.	Declaration of Leonard Garcia (Oct. 9, 2011), ZFL-1470634
37.	Declaration of Mike Thomas Brown (Sept. 21, 2011), ZFL-1470644
38.	Declaration of Jacob Volkmann (Sept. 12, 2011), ZFL-1470627
39.	Declaration of Dan Miller (Nov. 12, 2011), ZFL-1470606
40.	Declaration of Clay Guida (Aug. 2, 2011), ZFL-1470597
41.	Declaration of Mike Swick (Aug. 8, 2011), ZFL-1470657
42.	Declaration of Jim Miller (Nov. 12, 2011), ZFL-1470624
43.	Declaration of Michael Johnson (Sept. 23, 2011), ZFL-1470639
44.	Declaration of Renzo Gracie (Oct. 8, 2011), ZFL-1470650
45.	Declaration of Christopher Cope (2011), ZFL-1470595
46.	Presentation titled “Financial Presentation” (Mar. 26, 2014), ZFL-0994011

Exhibit	Description
47.	Promotional and Ancillary Rights Agreement between Zuffa and Khabib Nurmagomedov (Dec. 18, 2013), ZFL-0522826
48.	Excerpts of 30(b)(6) Deposition of Kirk Hendrick on Fighter Contracts (“Contracts Dep.”) (Nov. 29-30, 2016)
49.	Rebuttal Expert Report of Dr. Hal J. Singer (“Singer II”) (Jan. 12, 2018)
50.	Sur-Rebuttal Expert Report of Prof. Robert H. Topel (“Topel II”) (Feb. 12, 2018)
51.	Excerpts of Deposition of Sean Shelby (“Shelby Dep.”) (Apr. 12, 2017)
52.	Excerpts of Deposition of Joe Silva (“J. Silva Dep.”) (June 7, 2017)
53.	Exclusive Promotional and Ancillary Rights Agreement between Zuffa and Matt Hughes (Oct. 8, 2001), ZFL-0105053
54.	Exclusive Promotional and Ancillary Rights Agreement between Zuffa and Plaintiff Jon Fitch (Jan. 7, 2017), ZFL-0414108
55.	Promotional and Ancillary Rights Agreement between Zuffa and Josh Shockley (May 27, 2014), ZFL-0504184
56.	Excerpts of Deposition of Scott Coker (“Coker Dep.”) (Aug. 3, 2017)
57.	Excerpts of Deposition of Carlos Silva (“C. Silva Dep.”) (Apr. 18, 2017)
58.	Strikeforce Fighters Contract List, ZFL-0551556
59.	Email attaching Exclusive Commercial Rights Agreement between Brandon Vera and One Championship (July 22, 2014), LEPLAINTIFFS-0042859
60.	Email attaching Exclusive Promotional Fight Extension Agreement between Jon Fitch and WSOF (Feb. 7, 2014), Z.E._002617
61.	Bellator Promotional Agreement, SBPCL00002311
62.	Emails between Michael Mersch and Neal Tabachnick (Feb. 14, 2014), ZFL-12445923
63.	Emails between Michael Mersch and Jason Genet (Oct. 24, 2008), ZFL-2429202
64.	Ronda Rousey Facts and Figures, ZFL-0925692
65.	Excerpts of Deposition of Nathan Quarry (“Quarry Dep.”) (Sept. 30, 2016)
66.	Email from Michele Fitch to Heidi Seibert (May 14, 2012), Z.E._001891
67.	Declaration of Scott Coker in <i>In re Subpoena of Bellator Sport Worldwide, LLC</i> , Case No. 2:17-mc-00016 (C.D. Cal.) at ECF 1-3 (“Coker Decl.”) (Feb. 22, 2017)

Exhibit	Description
68.	Professor Robert H. Topel's 26(e) Supplemental Report ("Topel Supp.") (July 30, 2018)
69.	"This is the Professional Fighters League"
70.	Expert Report of Dr. Hal J. Singer ("Singer I") (Aug. 31, 2017)
71.	"About One"
72.	ACB Facebook Post (July 11, 2018)
73.	List of 2017 ACB Events
74.	Sherdog Profiles of Thiago Silva, Pat Healy, Nam Phan, and Efrain Escudero
75.	Summary Chart of Annual Events of Select Promoters
76.	Declaration of Tito Ortiz ("Ortiz Decl.") (Dec. 19, 2011), ZFL-1470655
77.	Excerpts of Deposition of Shannon Knapp ("Knapp Dep.") (Apr. 11, 2017)
78.	Excerpts of Deposition of Jeffrey Aronson ("Aronson Dep.") (Apr. 25, 2017)
79.	Declaration of Hunter Campbell ("Campbell Decl.") (July 30, 2018)
80.	Expert Report of Roger D. Blair ("Blair Rep.") (Nov. 15, 2017)
81.	Letter from Zuffa to Josh Koscheck (June 15, 2015), ZFL-0489704
82.	Letter from Zuffa to Josh Thomson (Aug. 11, 2015), ZFL-0500960
83.	MMA Fighting article titled "Phil Davis would have liked to stay with the UFC – for 'big contract'" (Apr. 20, 2015), ZFL-1470749
84.	Email from David Kramer to Michael Mersch re: Roger Huerta (Mar. 10, 2010), ZFL-2252819
85.	Excerpts of Deposition of Kyle Kingsbury ("Kingsbury Dep.") (Feb. 17, 2017)
86.	Summary Chart Showing Athletes Who Competed for UFC then Bellator
87.	Summary Chart Showing Athletes Who Competed for Bellator then UFC
88.	Declaration of Matt Hume ("Hume Decl.") (May 4, 2017), ONECHAMPIONSHIP000006
89.	Excerpts of Deposition of Javier Vazquez ("Vazquez Dep.") (Feb. 14, 2017)
90.	Exclusive Promotional Fight Agreement between Plaintiff Fitch and MMAWC (WSOF) (Mar. 8, 2013), Z.E._002623
91.	Declaration of Joseph Hand, Jr. ("Hand Decl.") (Dec. 7, 2011), ZFL-1470616

Exhibit	Description
92.	Venues 30(b)(6) Deposition Ex. 51 at Tab 1 (Dec. 1, 2016)
93.	List of Recent Bellator Events
94.	List of Recent PFL Events
95.	Declaration of Abraham Genauer (“Genauer Decl.”) (Oct. 26, 2017)
96.	Summary Chart of Promoter Events Featuring FightMatrix-ranked Athletes
97.	Summary Chart of Ranked Athlete Switches Between Foreign Promoters and Promoters in Dr. Singer’s Ranked Market
98.	Summary Chart of Foreign Promoters Included in Exhibit 97
99.	Summary Chart of Zuffa’s Share of Ranked Athletes
100.	Horizontal Merger Guidelines (Aug. 19, 2010)
101.	Strikeforce Event P&L, ZFL-1472338
102.	Antonio Rogerio Nogueira_Sherdog Profile
103.	Text Messages Between Sean Shelby and UFC athlete (June 21, 2015), excerpts of ZFL-2699696
104.	Zuffa, LLC Bout Agreement (Aug. 27, 2015), ZFL-0387086
105.	Excerpts of Plaintiffs’ First Amended Answers to Defendant Zuffa, LLC’s First Set of Interrogatories to Plaintiffs (Nov. 14, 2016)
106.	2013-2014 UFC Fight Card Changes, ZFL-0921215
107.	Excerpts of 30(b)(6) Deposition of Peter Dropick on Venues (“Venues Dep.”) (Dec. 1, 2016)
108.	“UFC Announces First NY Event at MSG” (Apr. 4, 2016)
109.	“WSOF NYC Complete Results, Recaps and Highlights” (Dec. 31, 2016)
110.	“Sonnen vs. Silva” (June 24, 2017)
111.	Excerpts from 30(b)(6) Deposition of Ike Lawrence Epstein on Sponsorships (“Sponsors Dep. II”) (July 21, 2017)
112.	Excerpts of 30(b)(6) Deposition of Michael Mossholder on Sponsorships (“Sponsors Dep. I”) (Nov. 30-Dec. 1, 2016)

1 DATED: July 30, 2018

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3 By: /s/ Suzanne Jaffe Nero

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5 Ultimate Fighting Championship and UFC
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